

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-007912-002 DT

10/17/2013

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT  
S. Yoder  
Deputy

STATE OF ARIZONA

KIRSTEN VALENZUELA  
HILARY L WEINBERG

v.

ELDRIDGE AUZZELE GITTENS (002)

SUSAN L COREY  
PETER JONES

CAPITAL CASE MANAGER

ORAL ARGUMENT  
TRIAL AFFIRMED

Courtroom SCT 7B

1:42 p.m. This is the time set for Oral Argument on the Motion to Continue Trial and the Motion(s) to Dismiss Counts. The following parties are present:

- Kirsten Valenzuela on behalf of the State;
- Defendant Darnell Reuna Jackson (001) with counsel, Alan I Tavassoli and Andrew A. Clemency;
- Defendant Eldridge Auzzele Gittens (002) with counsel, Susan L. Corey and Peter Jones;
- Defendant Jerry Wayne Cockhearn, Jr. (003) with counsel, Lisa Gray;
- Counsel Ulises Ferragut, Jr. standing in for Kenneth S. Countryman, counsel of record for Defendant Thandika Taweh Singleton (004) whose presence is waived;
- Advisory Counsel Ulises Ferragut, Jr. on behalf of John Howard Webber (005) whose presence is waived;
- Corey Royalty (007) with counsel, David J. Kephart;
- Anthony Jerome Wright (008) with counsel, Reginald L. Cooke and standing in for *Knapp* counsel, Daniel R. Raynak.

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Court Reporter, Lisa Vitoff, is present.

A record of the proceeding is also made by audio and/or videotape.

The Court previously granted the State's request for more time to file its list of facts in support of the allegation of attempted transportation for sale. The Court has now received the State's Submitted List of Facts. However, Defendants have not had a chance to respond. Therefore, the Motion(s) to Dismiss Counts will not be argued today.

Argument is heard on Defendant Jerry Cockhearn's Joint Motion to Continue Trial.

**As to Defendants Cockhearn (003), Royalty (007) and Wright (008):**

The Court finds good cause to continue the trial set for Defendants Cockhearn, Royalty and Wright. Over Defendant Wright's objection,

IT IS ORDERED vacating the Trial set for October 21, 2013 and resetting same to **January 21, 2014 at 8:00 a.m.** in this Division.

IT IS FURTHER ORDERED that all subpoenas remain in full force and effect.

IT IS FURTHER ORDERED excluding all time from October 21, 2013 through January 21, 2014 (92 days). **NEW LAST DAY: February 4, 2014.**

**As to Defendants Jackson (001) and Gittens (002):**

These trials will likely need to be continued. However, pending further consideration,

IT IS ORDERED **affirming** the current Final Trial Management Conference set for May 5, 2014 at 9:00 a.m. and Firm Trial Date of May 12, 2014 at 10:30 a.m. in this Division.

**LAST DAY REMAINS: May 26, 2014.**

**As to Defendants Singleton (004) and Webber (005):**

IT IS ORDERED **vacating** the Final Trial Management Conference set for January 29, 2014 and the Firm Trial Date of February 5, 2014 to be reset at a later time.

**LAST DAY REMAINS: February 19, 2014.**

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**As to all Defendants:**

IT IS ORDERED that Defendants' Response to the State's Submitted List of Facts is due by **October 25, 2013**.

IT IS FURTHER ORDERED setting Oral Argument on Defendants' Motion(s) to Dismiss Counts on **November 12, 2013 at 10:00 a.m.** in this Division.

Defendant Webber's presence is waived for the hearing on November 12<sup>th</sup>.

Discussion is held regarding the deposition of Mr. Villalobos. Mr. Webber wishes to conduct the deposition himself, therefore it must be held in a courtroom for security purposes. Counsel should coordinate among themselves and provide a proposed date or dates to this Court's Judicial Assistant so she can set a location for the deposition.

IT IS ORDERED affirming prior custody orders.

2:08 p.m. Matter concludes.

**Later:**

A clerical error having been made,

IT IS ORDERED correcting this Court's October 3, 2013 minute entry as follows:

**Page 2, Paragraph 8:**

Argument is heard on Defendant Jerry Cockhearn's Joint Motion to Dismiss Trial or Rejoin Co-Defendants Webber and Singleton (filed October 3, 2013). ~~The Court will set a hearing on the~~ **Motion will be considered on October 17, 2013.**

The balance of the October 3, 2013 minute entry remains in full force and effect.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.